

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

642P002-US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/500391

INTERNATIONAL APPLICATION NO.

PCT/US03/00095

INTERNATIONAL FILING DATE

2 January 2003

PRIORITY DATE CLAIMED

4 January 2002

TITLE OF INVENTION

DIAGNOSTIC ALGORITHMS FOR A CSF PHYSIOLOGIC CONTROLLER

APPLICANT(S) FOR DO/EO/US

Sanford Reich and James E. Sluetz

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
  1. Copy of the International Preliminary Examination Report;
  2. Copy of the International Search Report;
  3. Copy of Form PCT/IB/308; and
  4. Copy of Form PCT/IB/304.

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) <b>107500391</b>		INTERNATIONAL APPLICATION NO. PCT/US03/00095		ATTORNEY'S DOCKET NUMBER 642P002-US	
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<p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b></p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. .... <b>\$1080.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b></p> <p style="text-align: center;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p>				<b>CALCULATIONS PTO USE ONLY</b>	
<p>Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p>				<p>\$ 100.00</p> <p>\$ 130.00</p>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	16 - 20 =	0	x <b>\$18.00</b>	\$	0
Independent claims	3 - 3 =	0	x <b>\$86.00</b>	\$	0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				\$	0
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	230.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	115.00
<b>SUBTOTAL =</b>				\$	115.00
<p>Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p>				\$	-
<b>TOTAL NATIONAL FEE =</b>				\$	115.00
<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +</p>				\$	-
<b>TOTAL FEES ENCLOSED =</b>				\$	115.00
				Amount to be refunded:	\$
				charged:	\$

a. ☒ A check in the amount of \$ 115.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0930. A duplicate copy of this sheet is enclosed.


d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Nields & Lemack  
176 E. Main Street  
Suite 7  
Westboro, MA 01581

  
 \_\_\_\_\_  
 SIGNATURE  
 Kevin S. Lemack  
 \_\_\_\_\_  
 NAME  
 32,579  
 \_\_\_\_\_  
 REGISTRATION NUMBER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

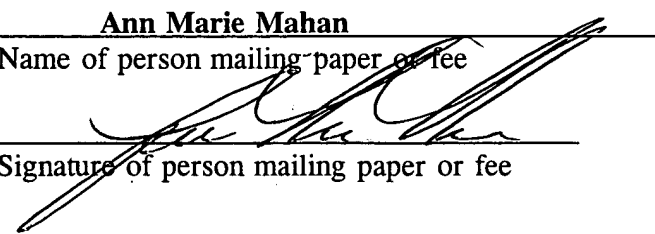
Applicants : Sanford Reich et al.  
Serial No. : Not yet assigned (PCT/US03/00095)  
Filed : Herewith By Express Mail (2 January 2003)  
For : DIAGNOSTIC ALGORITHMS FOR A CSF PHYSIOLOGIC  
CONTROLLER  
Examiner : Not yet assigned  
Art Unit : Not yet assigned  
Attorney  
Docket No. : 642P002-US  
Type of paper : Letter

"EXPRESS MAIL" MAILING LABEL NO ER 908003651 US  
DATE OF DEPOSIT: June 28, 2004

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Mail Stop: PCT, Alexandria, VA 22313-1450.

Ann Marie Mahan

Name of person mailing paper or fee

  
Signature of person mailing paper or fee

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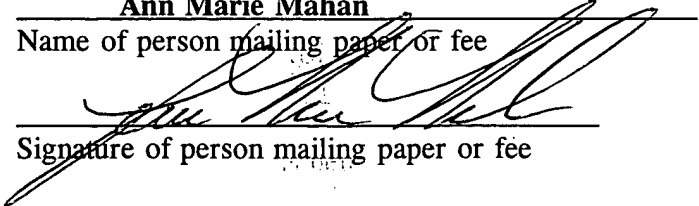
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107500391

DT04 Rec'd PCT/PTO 28 JUN 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Sanford Reich et al.

Serial No. : Not yet assigned (PCT/US03/00095)

Filed : Herewith By Express Mail (2 January 2003)

For : DIAGNOSTIC ALGORITHMS FOR A CSF PHYSIOLOGIC  
CONTROLLER

Examiner : Not yet assigned

Art Unit : Not yet assigned

Attorney  
Docket No. : 642P002-US

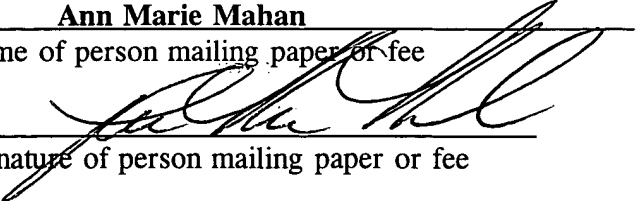
Type of paper : Transmittal Letter To The United States Designated/Elected Office  
(DO/EO/US) Concerning A Filing Under 35 U.S.C. 371

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10/500391

DT04 Rec'd PCT/PTO 28 JUN 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

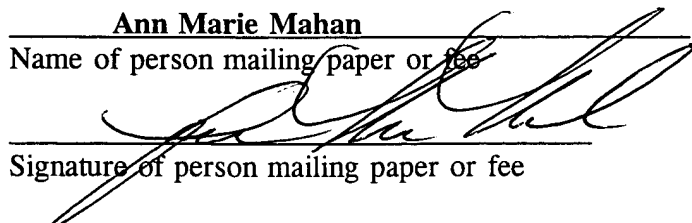
Applicants : Sanford Reich et al.  
Serial No. : Not yet assigned (PCT/US03/00095)  
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For : DIAGNOSTIC ALGORITHMS FOR A CSF PHYSIOLOGIC  
CONTROLLER  
Examiner : Not yet assigned  
Art Unit : Not yet assigned  
Attorney  
Docket No. : 642P002-US  
Type of paper : Filing Fee

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DT04 Rec'd PCT/PTO 28 JUN 2004  
Attorney Docket No. 642P002-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Sanford Reich and James E. Sluetz**

For: **DIAGNOSTIC ALGORITHMS FOR A CSF PHYSIOLOGIC CONTROLLER**

Commissioner for Patents  
P.O. Box: 1450  
Alexandria, VA 22313-1450

Sir: LETTER

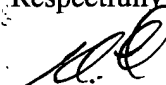
The above-identified applicants enclose for filing the national phase of a PCT patent application (PCT/US03/00095) entitled "**DIAGNOSTIC ALGORITHMS FOR A CSF PHYSIOLOGIC CONTROLLER**". Said attached PCT patent application includes (1) Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (2-Pages); (2) Check in the amount of \$115.00 in payment of the Filing Fee; (3) Copy of the International Preliminary Examination Report (5-Pages); (4) Copy of the International Search Report (3-Pages); (5) Copy of the Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (Form PCT/IB/308)(1-Page) and (6) Copy of the Notification Concerning Submission of Priority Documents (Form PCT/IB/304)(1-Page).

**The executed Declaration will be submitted in due course.**

All correspondence concerning this application should be mailed to:

**Kevin S. Lemack  
Nields & Lemack  
176 E. Main Street  
Westboro, Massachusetts 01581**

Respectfully submitted,

  
Kevin S. Lemack  
Attorney for Applicant  
Registration No. 32,579

Date: June 28, 2004

**EXPRESS MAIL NO: ER 908003651 US**

10/500391

DT04 Rec'd PCT/PTO 28 JUN 2004

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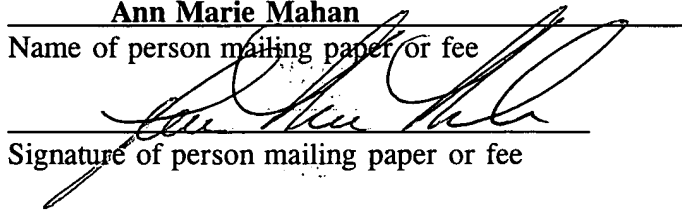
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Type of paper : Copy of the International Search Report

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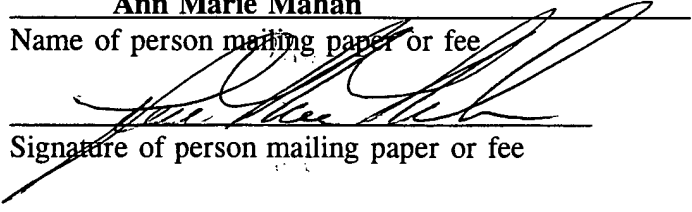
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Art Unit : Not yet assigned  
Attorney  
Docket No. : 642P002-US  
Type of paper : Copy of the Notification Concerning Submission or Transmittal of  
Priority Document (Form PCT/IB/304)

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